IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

JAMES H. GORBEY, JR., Administrator of the Estate of Marissa Rose Fishman, Deceased,

Civil Action No.: 05-211-KAJ

Plaintiff,

VS.

RICHARD LONGWILL, BARBARA : LONGWILL, AIR BASE CARPET MART, INC. : d/b/a Air Base Distributing, Inc. d/b/a Air Base : Carpet Mart, AIR BASE DISTRIBUTING, INC., : ASHLAND CONSTRUCTION COMPANY, INC., : JOSEPH RIZZO & SONS CONSTRUCTION, : VINCENT RIZZO CONSTRUCTION CO., INC. : d/b/a Ashland Construction Co., Inc., JOSEPH V. : RIZZO, and VINCENT RIZZO, :

Defendants.

APPENDIX OF EVIDENCE IN SUPPORT OF ANSWER AND BRIEF IN SUPPORT OF PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANTS', ASHLAND CONSTRUCTION COMPANY, INC., VINCENT RIZZO CONSTRUCTION CO., INC., d/b/a ASHLAND CONSTRUCTION CO., INC. JOSEPH V. RIZZO, AND VINCENT RIZZO, MOTION FOR PARTIAL SUMMARY JUDGMENT AS TO CHOICE OF LAW AND DAMAGES

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EXHIBIT D - Certificate of Death of Marissa Rose Fishman

EXHIBIT E - Order of the Orphan's Court of Delaware county, Pennsylvania, dated

9/23/03